



## Legislation Text

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**File #:** 05542, **Version:** 1

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### **Fiscal Note**

Revenues associated with this contract have been anticipated in the 2007 Operating Budget. No appropriation is required. There is no anticipated impact upon cost controls.

### **Title**

Authorizing the Mayor and City Clerk to execute an Operating Agreement with Supreme Water Sports LLC, to offer canoe/kayak/windsurfing/sailing lessons, canoe/kayak/windsurf/sailboat rental service, and concessions, available to the general public, at James Madison park for the year 2007, with the option to renew for three (3) one (1) year terms.

### **Body**

WHEREAS, for the past several years Watertrail Adventures, LLC ("Watertrail"), under an Operating Agreement with the City of Madison ("CITY") has offered canoeing, kayaking, windsurfing, and sailing lessons and has operated a canoe, kayak, windsurf, and sailboat rental service and a concession service to the general public at James Madison park Shelter ("Shelter"); and

WHEREAS, Supreme Water Sports, LLC ("SWS"), assumed operation of Watertrail in August 2006 when the operator of Watertrail abruptly left the business; and

WHEREAS, from August 2006 to October 2006, SWS successfully operated Watertrail as it had been operated for several years; and

WHEREAS, the Operating Agreement with SWS will allow SWS to operate a canoe, kayak, windsurf, and sailing lesson and rental service and sell concession products in the Shelter in approximately eighteen hundred (1800) square feet of space; and

WHEREAS, the term of the Operating Agreement will be from March 1, 2007 through December 31, 2007, with the option for three (3) one (1) year renewal periods; and

WHEREAS, SWS will utilize the space in the off-season months for boat and equipment storage at a rate of two hundred dollars (\$200) per month; and

WHEREAS, SWS shall provide instructor's who are certified by the American Canoe Association, the American Red Cross, or by another comparable nationally recognized professional canoe, kayak, windsurfing or sailing organization, in canoeing, kayaking, windsurfing, sailing, lifeguarding and wilderness first aid; and

WHEREAS, all items offered for sale by SWS, including but not limited to food, non-alcoholic beverages and confections, shall be approved by the Parks Superintendent or designee; and

WHEREAS, SWS shall be responsible for maintaining the shelter area in a neat, clean and creditable condition at all times, including keeping the grounds immediately adjacent to the facility picked up of paper and debris. SWS shall keep the boat-launch/beach area free of weeds and debris and shall be responsible for opening, closing and cleaning the restrooms at the Shelter on a daily basis; and

WHEREAS, SWS shall at all times maintain the appropriate insurance in the coverage amounts requested and approved by the City's Risk Manager; and

NOW THEREFORE BE IT RESOLVED, the Mayor and City Clerk are hereby authorized to execute an Operating Agreement with Supreme Water Sports, LLC, for the purposes of operating a canoe, kayak, windsurf and sailboat rental service, offering canoe, kayak, windsurfing and sailing lessons, and operating a concession service, available to the general public, at James Madison Park for 2007, with the option for three (3) one (1) year renewal terms.